Facts of the case

1. **Read the following article.**

T was a 15-year-old in the care of Caerphilly County Borough Council who had complex needs requiring restrictions on her liberty. Because no approved secure accommodation was available, the council turned to the legal bodies of the High Court. They sought orders under the High Court's subject jurisdiction, specifically its historical "inherent jurisdiction", to place T in alternative settings.

The case raised questions about which legal bodies had the right to intervene. While the High Court held the necessary personal jurisdiction over T as a minor within the territorial jurisdiction of England and Wales, the central conflict was whether the court had the exclusive jurisdiction to override statutory regulations.

They argued that because she consented to the arrangements, court orders were unnecessary. Furthermore, she contended that if a statutory scheme exists, the court should not use a concurrent jurisdiction to bypass the lack of registered homes. However, the Supreme Court held that the inherent jurisdiction remains available when no other options exist, even if the placements technically fall outside standard regulatory frameworks.

LIVEWORKSHEETS

Facts of the case

1. **Read each statement and write T (True) or F (False) based on the text.**

1. The local authority turned to the High Court because there were plenty of approved secure children's homes available. _____
2. The Supreme Court decided that the inherent jurisdiction of the High Court cannot be used if a placement is unregistered. _____
3. T argued that her own consent made the court orders for deprivation of liberty unnecessary. _____
4. The High Court lacked territorial jurisdiction because T was located outside of England and Wales. _____
5. The court chose to adjudicate in a way that allows for the protection of vulnerable children in cases of extreme necessity. _____

LIVEWORKSHEETS

2. Read each question and choose the correct answer (A, B, C, or D) based on the meaning in the text.

1. The word "inherent" in paragraph 1 is closest in meaning to:
(A) Temporary
(B) Built-in or natural
(C) Granted by a new law
(D) Limited in scope

2. In the sentence "...authorise deprivation of liberty for a vulnerable child," the word "deprivation" most nearly means:
(A) Distribution
(B) Protection
(C) Taking away
(D) Enhancement

3. The author mentions "regulatory gaps" to suggest that:
(A) The laws are perfect and easy to follow.
(B) There are missing pieces or "holes" in the current rules.
(C) The local authority is trying to break the law.
(D) The buildings are physically falling apart.

4. The word "render" in paragraph 2 (line 5) is closest in meaning to:
(A) To provide help
(B) To make or cause to be
(C) To translate into another language
(D) To cancel a meeting

5. In paragraph 2, the word "statutory" refers to something that is:
(A) Suggested by a doctor
(B) Traditional or historical
(C) Defined by written legislation
(D) Decided by a local vote

6. Why does the author use the word "bypass" at the end of paragraph 2?
(A) To describe a new road built near the school
(B) To suggest the court is finding a way around the usual legal requirements
(C) To show that the council is following every rule perfectly
(D) To explain how the child escaped from the home

LIVEWORKSHEETS

3. **Answer this question based on what you have read.**

In your opinion, should a court have the power to 'bypass' written laws to protect a person, or does this set a dangerous precedent where judges can do whatever they want?"

LIVEWORKSHEETS